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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/710,156	11/09/2000	Craig Skinner	24530.01300	4582

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EXAMINER

AFSHAR, KAMRAN

ART UNIT	PAPER NUMBER
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2681

DATE MAILED: 04/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/710,156

Applicant(s)

SKINNER ET AL.

Examiner

Kamran Afshar, 703-305-7373

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/9/00.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Claim Objections

1. Claim 4 is objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent on both claims 3 and 1. See MPEP § 608.01(n). ~~Accordingly, the claim 4 has not been further treated on the merits.~~

2. Claims 19-21 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent on both claims 14 and 1. See MPEP § 608.01(n). ~~Accordingly, the claims 19-20 have not been further treated on the merits.~~

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-4, 7-9, 14-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Vong (U.S. Patent 6,209,011 B1).

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With respect to claims 1, 14, Vong discloses a method of setting notifications and / or an electronic device (See i.e. 20 of Fig. 1, Co. 3, Lines 20-29), comprising: a display screen (See i.e. 28 of Figs. 1, 3, Co. 3, Lines 41-48, Co. 4, Lines 62-67); at least one component configured to initiate user notifications based on events (See i.e. 62, 64, 66, 68 of Fig. 3, Co. 4, Line 62 – Co. 5, Line 18); a processor unit configured to (See i.e. 60 of Fig. 3, Co. 4, Line 62 – Co. 5, Line 18), retrieve and display user modifiable preferences (See co. 5, Lines 36-50) that indicate whether the notifications of component are enabled or disabled (see i.e. 100 of Fig. 6), save preferences input by a user, and configure the electronic device to implement the saved preferences (See Co. 5, Line 58 – Co. 6, Line 30).

Regarding claim 2, Vong discloses wherein component includes an RF device (See i.e. Co. 3, Lines 29-37 & Lines 45-48), and preferences further indicate whether the RF device is enabled or disabled (See i.e. Co. 6, Lines 17-29).

Regarding claims 3, Vong discloses preferences include a start time and a stop time; and processing unit is further configured (See i.e. Co. 4, Line 62 – Co. 5, Line 18, Co. 5, Lines 36-41) to enable notifications according to the start and stop times (See i.e. Co. 7, Lines 1-31, Co. 8, Lines 20-25).

Regarding claim 4, Vong further comprises a clock mechanism (See i.e. 82, 84 of Fig. 4); and processing unit is configured to (See i.e. Co. 4, Line 62 – Co. 5, Line 18, Co. 5, Lines 36-41), set alarm times based on start and stop times, and enable and disable notifications according to the alarms (See i.e. Co. 7, Lines 1-31, Co. 8, Lines 20-25).

Regarding claim 7, Vong discloses preferences include start times, stop times, and a date identifier indicating a date and time period when notifications (See i.e. Fig. 5-7) are to be either enabled or disabled times (See i.e. Co. 7, Lines 1-31, Co. 8, Lines 20-25).

Regarding claim 8, Vong discloses date is a day of the week (See i.e. Co. 7, Lines 1-31, Co. 8, Lines 20-25, Fig. 5-7).

Regarding claim 9, Vong discloses the electronic device is a PDA centric device, and component is a mobile telephone device (See Co. 3, Lines 29-37 & Lines 45-48).

Regarding claim 15, Vong discloses displaying comprises at least displaying an ON option (i.e. enable dialog box) and an OFF (i.e. disable dialog box) option (See Co. 6, Lines 5-30, Fig. 6).

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Regarding claims 16, Vong discloses displaying includes displaying a start time, and a stop time (See i.e. Co. 4, Line 62 – Co. 5, Line 18, Co. 5, Lines 36-41); and step of configuring includes enabling user notifications and start time (See i.e. Fig. 5-7), and disabling user notifications a stop time (See i.e. Co. 7, Lines 1-31, Co. 8, Lines 20-25).

Regarding claims 17, Vong discloses displaying includes displaying a start date associated with said start time, and a stop date associated with stop time (See i.e. Co. 7, Lines 1-31, Co. 8, Lines 20-25, Figs. 5-7).

Regarding claims 18, Vong discloses displaying includes displaying a day of the week associated with start and stop times (See i.e. Co. 7, Lines 1-31, Co. 8, Lines 20-25, Fig. 5-7).

Regarding claims 19, Vong discloses method is embodied in compilable source code (See i.e. Co. 8, Line 53 – Co. Co. 12, Line 54) and stored on a computer readable media (See i.e. notification program, Co. 3, Lines 20-26), that, when compiled and loaded into a computer (See i.e. H/PC, personal organizer, a palm-top computer, or computerized notepad or PDA or the like, Co. 3, Line 29-37), cause the computer to perform the steps of Claim 14 (See i.e. Co. 3, Lines 29-37, Co. 4, Line 62 – Co. 5, Lines 18).

Regarding claims 20, Vong discloses electronic device is a PDA centric device (See i.e. H/PC, personal organizer, a palm-top computer, or computerized notepad or PDA or the like, Co. 3, Line 29-37), computer readable media is a memory device inside the PDA (See i.e. Co. 3, Lines 29-37, Co. 4, Line 62 – Co. 5, Lines 18).

Regarding claims 21, Vong discloses method is embodied in at least one of interpretable and executable software source code and stored on a computer readable media, that, when loaded into a computer, cause the computer to perform the steps of Claim 14 (See i.e. Co. 3, Lines 29-37, Co. 4, Line 62 – Co. 5, Lines 18).

5. Claims 10-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Sano (U.S. patent 6,131,046).

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With respect to claim 10, Sano discloses an electronic device (i.e. communication apparatus, 11 of Fig. 1), comprising: an RF check mechanism configured to, test at least one of internal and attached devices to determine if any of the tested devices (See i.e. 101, 104 of Fig. 5) are RF enabled (See i.e. non-communicable, communicable, operating or non-operating state or status, or RF Signal level indicator or the like), and produce a signal indicating an RF status (i.e. RF Signal) of the tested devices (See i.e. Co. 4, Line 65 – Co. 5, Line 30); and a display (See i.e. 6 of Fig. 1) mechanism coupled to RF check mechanism (See i.e. 101, 104 of Fig. 1) and configured to display the indication of RF status (See i.e. Steps S201-S208 of Fig. 6, Co. 11, Lines 21-64).

Regarding claim 11, Sano discloses a display mechanism is a screen (See i.e. 6 of Fig. 1) ; and the indication of RF status is a graphic (i.e. icon) indicating the RF Status (See i.e. Steps S201-S208 of Fig. 6, Co. 11, Lines 21-64) .

Regarding claim 12, Sano discloses at least a text message indicating the RF Status (See i.e. 107 (1060 of Fig. 3B).

Regarding claim 13, Sano discloses display mechanism is an indicator light (See 106 of Fig. 2, Co. 5, Lines 31-43) ; and RF enabled status is indicated by the indicator light being set on (See i.e. Co. 6, Lines 50-65).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vong (U.S. Patent 6,209,011 B1) in view of Sano (U.S. Patent 6,131,046).

Regarding claims 5-6, Vong disclosed everything as discussed above in claim 1. Further, Vong discloses wherein electronic device includes an RF device (See i.e. Co. 6, Lines 17-29). However, Vong did not explicitly teach the enablement and disablement of notifications also enables and disables RF

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device. In the same field of endeavor, Sano teaches the enablement and disablement (i.e. non-communicable state or status or the like) of notifications also enables and disables RF device (See i.e. Co. 11, Lines 7-20). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to provide above teaching of Sano to Vong to facilitate an RF enabled indicator (i.e. icon) that positively identifies if the electronic device is RF enabled or disabled (i.e. non-communicable, communicable, operating or non-operating state or status or the like).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


a) Uchida (U.S. 6,070,055), Discloses Radio Selective Calling Receiver With Display And Function Menu.

b) Rosecrans (U.S. 5,889,852) Discloses Photo Screen Scroll Graphics User Interface.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Kamran Afshar whose telephone number is (703) 305-7373. The examiner can be reached on Monday-Friday.

If attempts to reach the examiner by the telephone are unsuccessful, the examiner's supervisor, Gary, Erika A. can be reached @ (703) 308-0123. The fax number for the organization where this application or proceeding is assigned is (703) 872-9306 for all communications.


Kamran Afshar


ERIKA GARY
PATENT EXAMINER